

1 Introduced by Senator Ashe
2 Referred to Committee on
3 Date:
4 Subject: Motor vehicles; interpreters; operator’s licenses; road test; training
5 Statement of purpose of bill as introduced: This bill proposes to require the
6 Department of Motor Vehicles to (1) provide written forms, applications, and
7 tests used in operator licensing translated into the primary language used in
8 every nation from which individuals assisted by the U.S. Committee for
9 Refugees and Immigrants Vermont in the prior ten years hail and (2) allow an
10 applicant to have an individual of his or her choosing at the oral examination
11 or road test required for licensing to serve as an interpreter. This act also
12 proposes to require the Commissioner of Motor Vehicles to provide training on
13 recognizing and addressing cultural differences and other barriers to access to
14 Department of Motor Vehicles employees who directly interact with the
15 public.

16 An act relating to use of interpreters and translators by the Department of
17 Motor Vehicles

18 It is hereby enacted by the General Assembly of the State of Vermont:

19 Sec. 1. LEGISLATIVE FINDINGS

1 Vermont is home to an increasingly diverse population, including many
2 immigrants, refugees, and asylees. These “New Americans” add to the
3 vibrancy of our communities and strengthen our workforce. New Americans
4 also face special challenges as they make Vermont their home. Among the
5 greatest challenges New Americans face is transportation. In order to help
6 New Americans fulfill their potential and to improve quality of life, the State
7 can make several policy changes to reduce unnecessary barriers to acquiring an
8 operator’s license.

9 Sec. 2. 23 V.S.A. § 631 is amended to read:

10 § 631. REQUIREMENTS; RULES

11 (a) The Commissioner may adopt rules pursuant to 3 V.S.A. chapter 25
12 governing the examination of new applicants for ~~operators’~~ operator’s licenses
13 and may prescribe ~~what shall be requisite~~ requirements to obtain or hold a
14 license or learner’s permit, by either a new or renewal applicant, as to driving
15 experience, mental and physical qualifications, and any other matter or thing
16 ~~which~~ that, in his or her judgment, will contribute to the selection of safe and
17 efficient operators.

18 (b) Any written forms, applications, or tests used by the Department of
19 Motor Vehicles for operator licensing shall be translated into the primary
20 language of every nation from which individuals assisted by U.S. Committee
21 for Refugees and Immigrants Vermont in the prior ten years hail, as

1 determined on an annual basis by the Department in consultation with the U.S.
2 Committee for Refugees and Immigrants Vermont, and available at all
3 Department locations and on the Department’s website if the English version
4 of the form, application, or test is on the Department’s website. Nothing in this
5 subsection is intended to require the Department to translate any educational
6 manuals.

7 Sec. 3. 23 V.S.A. § 632 is amended to read:

8 § 632. EXAMINATION REQUIRED; WAIVER

9 (a) Before an operator’s or a junior operator’s license is issued to an
10 applicant for the first time in this State, or before a renewal license is issued to
11 an applicant whose previous Vermont license had expired more than
12 three years prior to the application for renewal, the applicant shall pass a
13 satisfactory examination, except that the Commissioner may, in his or her
14 discretion, waive the examination when the applicant holds a chauffeur’s or
15 operator’s license in force at the time of application or within one year of the
16 application in some other state where an examination is required similar to the
17 examination required in this State.

18 (b) The examination shall consist of:

19 (1) an oral or written examination;

20 (2) a thorough road test; and

1 (3) at the discretion of the Commissioner, such other examination or
2 demonstration as he or she may prescribe, including an oral eye examination.

3 (c) An applicant may have an individual of his or her choosing at the oral
4 examination or road test to serve as an interpreter, including to translate any
5 oral commands given as part of the road test.

6 Sec. 4. 23 V.S.A. § 4108 is amended to read:

7 § 4108. COMMERCIAL ~~DRIVER~~ DRIVER'S LICENSE, COMMERCIAL
8 LEARNER'S PERMIT QUALIFICATION STANDARDS

9 * * *

10 (f) The fee for a knowledge test and the fee for a skills test shall each be
11 \$32.00. The fee for an endorsement test shall be \$14.00. In the event that an
12 applicant fails a test three times, he or she may not take the test again for at
13 least six months. A fee of \$24.00 shall be paid by the applicant before he or
14 she may schedule a skills test. If an applicant does not appear for the
15 scheduled skills test, the \$24.00 scheduling fee is forfeited, unless the applicant
16 has given the Department at least 48 hours' notice of cancellation of the test.
17 If the applicant appears for the skills test, the \$24.00 scheduling fee for that
18 test will be used as part of the test fee. Use of an interpreter is prohibited
19 during the administration of the knowledge or skills tests, but the Department
20 shall have the knowledge test translated into the primary language of every
21 nation from which individuals assisted by U.S. Committee for Refugees and

1 Immigrants Vermont in the prior ten years hail, as determined on an annual
2 basis by the Department in consultation with the U.S. Committee for Refugees
3 and Immigrants Vermont, upon request. Nothing in this subsection is intended
4 to require the Department to translate any educational manuals.

5 Sec. 5. DEPARTMENT OF MOTOR VEHICLES TRAINING

6 On or before January 1, 2020 the Commissioner of Motor Vehicles shall, in
7 collaboration with U.S. Committee for Refugees and Immigrants Vermont and
8 the Association of Africans Living in Vermont, provide an on-line or in person
9 training to all Department of Motor Vehicles employees who directly interact
10 with the public that emphasizes strategies to recognize and address cultural
11 differences and other potential barriers to equal access to Department of Motor
12 Vehicles services for individuals who come to Vermont from other nations. A
13 similar training shall be given to all future Department of Motor Vehicle
14 employees who will directly interact with the public within one month after the
15 employee's date of hire.

16 Sec. 6. IMPLEMENTATION

17 (a) The Commissioner of Motor Vehicles shall have until July 1, 2019 to
18 consult with U.S. Committee for Refugees and Immigrants Vermont and
19 determine the primary language of every nation from which individuals
20 assisted by U.S. Committee for Refugees and Immigrants Vermont in the prior
21 ten years hail.

1 (b) On or before October 15, 2019, the Commissioner of Motor Vehicles
2 shall send a written update to the Joint Transportation Oversight Committee
3 that includes an implementation plan to ensure compliance with 23 V.S.A.
4 §§ 631–32, 4108 as amended by Secs. 2–4 of this act and an update on the
5 training required pursuant to Sec. 5 of this act.

6 Sec. 7. EFFECTIVE DATES

7 (a) Secs. 2 (written forms), 3 (examination required), 4 (commercial
8 driver’s license) shall take effect on July 1, 2020.

9 (b) All other sections shall take effect on passage.